IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 622 OF 2005

IN

APPEAL FROM ORDER NO. 841 OF 2000

Madhukar F. Salunke .. Applicant

versus

Suryakant M. Raut .. Respondent

...

Mr.P.S.Dani for the applicant.

Mr.Avinash Shivade for the respondents.

CORAM : B.H. MARLLAPALLE,J

DATED : 16th August 2005.

P.C.:

1. Heard learned counsel for the applicant who was respondent in AO no. 841 of 2000. The said appeal came to be disposed of by this Court on 27th August 2002. The respondent in the appeal i.e. the present applicant was directed to deposit the amount of Rs.3,00,000/- in the trial court and the trial court was directed to dispose of the suit by 31st

October 2003.

2. Accordingly, Special Civil Suit 1989 of 1997 has been decreed in favour of the present applicant on 25th October 2004 by the 3rd Addl. Small Causes Judge, Pune and this decree is in favour of the applicant. The applicant therefore prays for directions to allow the withdrawal of the said amount lying with the trial court with interest accrued.

3. Application is allowed in terms of prayer clause (a). Writ to go to the trial court forthwith.

B.H. MARLAPALLE, J